

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 KARIN FUSSY,  
12 Plaintiff,  
13 v.  
14 RTI SURGICAL,  
15 Defendant.

Case No. 1:21-cv-01307-ADA-CDB  
**ORDER STRIKING UNSIGNED  
PLEADING FROM THE RECORD**  
(Doc. 41)

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18 On May 30, 2023, Plaintiff filed a pleading captioned “Motion to Deny Any Further  
19 Postponement” (Doc. 41) in which she requests that the “settlement hearing” previously  
20 scheduled for May 15, 2023 and reset to August 9, 2023 (Doc. 39) not be further  
21 postponed. Plaintiff asserts that postponing the hearing will cause financial, physical and  
22 emotional burden to her. Defendant filed a belated response on June 22, 2023. (Doc. 42). In that  
23 response, Defendant requests the Court not construe Plaintiff’s filing as a supplement to her  
24 earlier filing in opposition to Defendant’s motion to dismiss. Further, Defendant notes that the  
25 hearing scheduled on August 9 is not a settlement conference, but rather, a scheduling conference.

26 Defendant is correct that the August 9 hearing is a scheduling conference, not a settlement  
27 conference. Plaintiff previously has filed motions like the instant motion to expedite proceedings  
28 (Docs. 14, 20) and the Court has reminded Plaintiff that the subject hearing is a scheduling

1 conference. (Doc. 21). Moreover, the Court also previously has informed Plaintiff that, because  
2 of its limited judicial resources, it is not prepared to schedule the case until the assigned district  
3 judge rules on the pending motion to dismiss. (Docs. 15, 21).

4 Finally, Plaintiff's motion is unsigned. As indicated in the Court's Informational Order,  
5 each document submitted for filing must include the original signature of the filing party. (See  
6 Doc. 3-5, citing Local Rule 131, Fed. R. Civ. P. 11(a)). As a general rule, all documents  
7 submitted without the required signature(s) will be stricken from the record. (*Id.* at 2). The Court  
8 previously reminded Plaintiff of this and cautioned Plaintiff: "in the future the Court may strike  
9 any document submitted without the required signature." (Doc. 21 at 2).

10 Accordingly, for the foregoing reasons, the Court STRIKES Plaintiff's unsigned motion  
11 (Doc. 41).

12 Plaintiff is directed to refamiliarize herself with and adhere to the Local Rules of this  
13 Court; failure to comply with those rules or Court orders may result in the imposition of  
14 sanctions.

15 IT IS SO ORDERED.

16 Dated: June 23, 2023



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17 UNITED STATES MAGISTRATE JUDGE

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